

AMENDED

Serial No. 50071

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office AUG 13 1986  
 Returned to applicant for correction SEP 12 1986  
 Corrected application filed NOV 04 1986 Map filed NOV 04 1986

The applicant ROBERT L. WEISE  
7300 Franktown Road of Carson City  
Street and No. or P.O. Box No. City or Town  
Nevada 89701 hereby make S application for permission to change the  
State and Zip Code No.  
point of diversion  
Point of diversion, manner of use, and/or place of use  
of water heretofore appropriated under Proof #02540 Amended of the Musgrove Creek  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)  
(AKA Big Canyon Creek) and its tributaries, Washoe Valley, Washoe  
County, Nevada, which was adjudicated with FINDINGS OF FACT, CONCLUSIONS  
OF LAW, JUDGEMENT AND DECREE which were signed December 1, 1975.

- The source of water is Musgrove Creek  
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 9.020 cubic feet per second  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for irrigation & stockwater  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for irrigation & stockwater  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point located in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 27,  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.  
T16N, R19E, M.D.M., S 14° 54' 16" E, a distance of 1825.00 feet from the  
northwest corner of said Section 27.
- The existing permitted point of diversion is located within SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 27, T16N, R19E, M.D.M.  
If point of diversion is not changed, do not answer.  
at a point where the northwest corner of said Section 27 bears  
N 14° 42' 20" W, a distance of 1,462 feet.
- Proposed place of use Approximately 361 acres located in Section 22 and 23 as  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
provided for in the Musgrove Creek Adjudication, Proof #02540.
- Existing place of use Same as above  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1st thru December 31st of each year.  
Month and Day Month and Day
- Use was permitted from January 1st thru December 31st of each year.  
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Construction of a fifteen foot wide  
State manner in which water is to be diverted, i.e. diversion structure, ditches, concrete diversion dam with flash boards and headgates and contruction  
pipes and flumes, or drilled well, etc. of approximately 3,500 feet of 12 inch diameter pipe.
- Estimated cost of works \$30,000
- Estimated time required to construct works completed

14. Estimated time required to complete the application of water to beneficial use immediately

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This new point of diversion was required to replace the previous one which was totally washed out during the February 1986 flooding. Emergency construction was required to provide irrigation water for the 1986 season. Construction of both the pipe and dam were reviewed by the Soil Conservation Service.

By s/ E.P. Osgood  
E.P. Osgood Agent  
130 Vine Street  
Reno, Nevada 89503

Compared is/bl mm/se

Protested \_\_\_\_\_

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the Point of Diversion of the waters of Musgrove Creek, as heretofore appropriated under Proof #02540 as appears in the Matter of the Determination of the Relative Rights in and to the waters of Musgrove Creek & Tributaries, in the District Court of the Second Judicial District of the State of Nevada, in and for the County of Washoe is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

The total combined duty of water under Permits 50071, 50072 shall not exceed 1606.35 acre feet annually.

The total duty of water for the lands under this permit, shall not exceed 4.5 acre feet per harvestable acre nor 4.0 acre feet per acre for meadows.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 9.02 cubic feet per second, but not to exceed 1552.35 acre feet as Decreed.

Work must be prosecuted with reasonable diligence and be completed on or before February 20, 1988

Proof of completion of work shall be filed before March 20, 1988

Application of water to beneficial use shall be made on or before February 20, 1989

Proof of the application of water to beneficial use shall be filed on or before March 20, 1989

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed FEB 1 1988 IN TESTIMONY WHEREOF, I PETER G. MORROS,

MAR 20 1989 State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed \_\_\_\_\_ my office, this 20 day of February,

Cultural map filed \_\_\_\_\_ A.D. 1987

Certificate No. 12436 Issued APR 17 1990

2407 (Rev. 6-81)

1087-6 0512 0.0710 cfs per 66611 4/17/1

59014 0.029 cut 1/5/99 69734 0.299

58722 0.029 cut 11-01-90

58781 0.029 cut 11-16-98

59030 0.050 cut 11-16-98

59020 0.116 cut 11-1-00

58784 0.029 cut 05/02/01

59385 0.181 cut 12/17/01

59029 0.029 cut 12/17/01